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### REMARKS

#### General Comments

Independent claims 54 and 65 have been amended to additionally recite an electrically conductive fluid having a threshold fluid conductivity. New claims have also been added and are directed to this subject matter. This subject matter is explicitly supported in the application at, for example, page 12, lines 25-31. Accordingly, claims 54-70 are pending in the subject application following this amendment.

#### Rejection of Claims under 35 U.S.C. §112, second paragraph

Responsive to the Office Action, Applicant has amended claim 56 to provide proper antecedent basis. Reconsideration and withdrawal of the Section 112 rejection is respectfully requested.

#### Rejection of Claims under 35 U.S.C. §102(b)

According to the Office Action, claims 54-56, 59, 61-64 and 65-66 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,682,596 to Bales et al. ("Bales").

Applicant has amended independent claims to recite an additional claim limitation that is not disclosed in Bales. In particular, each of the pending independent claims recite that an ELECTRICALLY CONDUCTIVE fluid supply or source provides an electrically conductive fluid in the vicinity of the electrode terminal. Additionally, the electrically conductive fluid is characterized in that the fluid has an electrical conductivity of at least 0.2 mS/cm.

In marked contrast, Bales is directed to a device to remove atherosclerotic plaque in a vessel. Bales discloses delivering a flushing fluid such as DEIONIZED saline to wash away debris. Deionized saline is a NONCONDUCTIVE fluid. This is opposite to the electrically conductive fluid provided in the subject claims. Accordingly, Bales does not disclose each and every claim limitation of the amended claims.

Based on the foregoing, reconsideration and withdrawal of the rejections under Section 102 based on Bales is respectfully requested.

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Rejections under 35 U.S.C. §103 (a)

The claims rejected under Section 103 are dependent claims. As indicated above, Bales does not disclose all claim limitations. The other references cited in the Office Action do not make up for the deficiencies in Bales. Based on the foregoing, Applicant respectfully request reconsideration and withdrawal of the rejections.

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CONCLUSION

Applicant has made a sincere effort to respond to each and every issue raised in the Office Action. Should the Examiner wish to contact the Applicant he is encouraged to do so at the below referenced number.

Respectfully submitted,



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